

## **SECTION 1001 MATERIAL SOURCES:**

### **1001-1 Description:**

The work under this section shall consist of the procuring of borrow, subbase and base materials, mineral aggregates for concrete structures, and mineral aggregates for surfacing materials specified for use from sources either designated on the project plans or in the Special Provisions or from other sources.

### **1001-2 General:**

The contractor shall determine for itself the type of equipment and work required to produce a material meeting the specifications.

Unless otherwise specified, pits and quarries shall be so excavated that water will not collect and stand therein. Sites from which material has been removed shall, upon completion of the work, be left in a neat and presentable condition. Where practicable, borrow pits, gravel pits, and quarry sites shall be located so that they will not be visible from the highway.

The contractor shall provide an environmental analysis, as specified in Subsection 104.12, for any contractor-furnished source proposed for use. Environmental analyses prepared for contractor-furnished sources, and approved by the Department later than January 1, 1999, will be acceptable.

A list of sources known by the Department to have approved environmental analyses will be kept on file at the ADOT Materials Group, mail drop 068R, 1221 N. 21st Avenue, Phoenix, Arizona 85009-3740. The contractor may propose the use of these sources as a contractor-furnished source without the requirement of submitting a new Environmental Analysis, provided that all other requirements of this section have been met.

It shall be the responsibility of prospective bidders to conduct any necessary on-site investigations and/or explorations, and to satisfy themselves that the quantity and/or quality of material exists in the sources listed above. No representation regarding quality or quantity of materials is made by the Department.

### **1001-2.01 Definitions:**

All material sources shall fall into one of the following two categories:

- Department-Furnished Source
- Contractor-Furnished Source

A Department-furnished source shall be defined as a material source for which the Department has prospected, taken samples, tested, prepared an Environmental Analysis, secured the rights for its use, including ingress and egress, and which may be available for the contractor's use on a specific project.

A contractor-furnished source shall be defined as any source other than a Department-furnished source, and shall include commercial operations as defined below.

A commercial operation shall be defined as a material source at which the owner or producer has been located for at least the preceding 12 months prior to award of contract, and routinely engaged during regular business hours on a consistent basis in the processing and selling of sand, rock, ready mixed Portland cement concrete, asphaltic concrete and other similar products to all parties. The company shall have an Arizona retail sales tax license. The contractor shall furnish documentation to the Engineer that the source is an active commercial operation. This documentation may include evidence of sales or other data acceptable to the Engineer. A commercial source, whenever referenced in the specifications, shall be considered to be a commercial operation, as defined herein.

Should the contractor elect to set up a concrete or asphalt batch plant within or adjacent to a commercial operation for the exclusive supply of contract items, the contractor's operation shall not be considered part of the commercial operation.

#### **1001-2.02            Material Sources in Flood Plains:**

The use of material sources situated in the 100-year flood plain of any stream or watercourse, and located within one mile upstream and two miles downstream of any highway structure or surfaced roadway crossing, shall be limited as follows:

- (A) Existing commercial operations, as defined in Subsection 1001-2, shall not be utilized as a source of borrow.
- (B) No new source or existing non-commercial source will be approved for any materials except as specified in the following subparagraph (C).
- (C) Surplus material from agency-administered flood control management projects may be used as borrow material only if the contractor submits written evidence to the Engineer that the flood control agency project was fully designed and funded prior to the date of advertisement for bids on the Department project.
- (D) Material sources located on Native American Indian Reservations will be considered for use based on an individual analysis. The analysis shall include a review of applicable land use plans, flood plain management plans, environmental plans, applicable laws and regulations pertaining to

Indian Reservations, and an engineering analysis of the effects on any highway facility or structure. The contractor shall obtain from the Native American Tribal Council all permits, licenses, and approvals and present to the Department for review. The Department will review each request on a case by case basis.

The location of any new material source or existing non-commercial material source proposed for use on the project shall be reviewed by the appropriate agency having flood plain management jurisdiction for the area in which the proposed source is located. The contractor shall obtain a letter from the agency addressed to the Engineer certifying that the location of the proposed source conforms to the requirements of the specifications.

Contractors seeking a flood plain material source are cautioned that Section 404 of the Clean Water Act may prevent use of the source unless an appropriate permit is first obtained from the U.S. Army Corps of Engineers.

If a flood plain source is being considered for use, the contractor is advised to contact Environmental Planning Services of ADOT to insure that the source will be obtainable within the required time frame.

### **1001-3                    Department-Furnished Sources:**

#### **1001-3.01                General:**

The use of a Department-furnished source is not mandatory.

#### **1001-3.02                Information Available:**

The approximate location, the kind of material, the name and address of the owner, the amount of royalty charges, and other relevant information will be available for review from the Materials Group, 1221 N. 21st Avenue, Phoenix, Arizona 85009-3740.

The available information should be considered at most as only a starting point for those prospective bidders choosing to use the source.

It shall be the responsibility of prospective bidders to conduct any necessary on-site investigations and/or explorations, and to satisfy themselves that the quantity and/or quality of material exists in the source in the event their bids are predicated upon the use of the source. Whether a source will in fact yield material of sufficient quantity or quality to meet the specific requirements may not have been determined.

Prospective bidders are advised that an agency having jurisdiction over the source, such as the Forest Service, Bureau of Land Management, Bureau of Reclamation, the State Land Department, etc., or the owner, as a condition to the use of the source, may have imposed certain obligations. The contractor who uses such a source shall assume

full contractual responsibility for any and all of these obligations imposed either by the agency having jurisdiction or by the owner. Specific requirements may or may not be available, and prospective bidders considering such a source are urged to make themselves fully aware of any and all requirements.

It shall be the responsibility of the bidder to ensure that the Environmental Analysis complies with existing laws, rules, and regulations.

### **1001-3.03            Usage of Materials:**

Except as hereinafter provided, materials removed from Department-furnished sources shall be used only for the specific project and purpose for which the source was obtained.

Should the contractor desire to remove and use material other than that specified for use, prior approval by means of a supplemental agreement shall be obtained. The contractor shall furnish the Engineer with evidence that the owner of the source has agreed to such use. The Department reserves the right to disapprove any request when it is considered to be in the best interest of the Department to conserve such material for future use.

If the Department approves the removal and use of such material, the quantity of the material removed and the quantity of any waste material resulting from its removal will be deducted from the estimated quantity of material shown to be available.

### **1001-3.04            Royalty Charges:**

The amount of the royalty charges and the name and address of the party to whom royalties are to be paid will be available from the Materials Group, 1221 N. 21st Avenue, Phoenix, Arizona 85009-3740.

Prior to the time of final payment, the contractor shall furnish the Engineer with evidence such as an endorsed canceled check that all royalty charges have been paid. In the event that royalty charges have not been paid, the Department reserves the right to make such payment and to deduct the amount of such payment from monies due the contractor.

The final billing and payment for material extracted from sources under the jurisdiction of the State Land Department will include a small administrative charge based on the total amount of royalties due for materials removed.

Upon receipt of the final billing from the Department of Transportation, the contractor shall mail a check, payable to the State Land Department, addressed as follows:

Arizona Department of Transportation  
Field Reports Services

206 South 17th Avenue  
Phoenix, Arizona 85007

**1001-3.05          Performance Bonds:**

If Department-furnished sources are under the jurisdiction of either the State Land Department or the Bureau of Land Management, the contractor shall secure a performance bond. A fully executed copy of the bond shall be furnished the Engineer along with evidence that a fully executed copy has been sent to the State Land Department or the Bureau of Land Management.

The form of the Performance Bond will be included in the proposal pamphlet. For pits under the jurisdiction of the Bureau of Land Management, the surety shall be a company listed under "Surety Companies Acceptable on Federal Bonds." This list is published annually as of July 1 in the Federal Register.

Performance bonds shall be conditioned upon the compliance with the requirements of the State Land Department and the Bureau of Land Management and the requirements of the specifications for the clearing of pit sites, the removal of material and the cleaning up of pit sites.

Copies of fully executed performance bonds shall be mailed as follows:

State Land Commission	Bureau of Land Management
State Land Department	Manager, Land Office
1624 West Adams Street	2400 Valley Bank Center
Phoenix, Arizona 85007	Phoenix, Arizona 85073

**1001-3.06          Sampling and Testing:**

The results of any sampling and testing accomplished by the Department will be available from the Materials Group, 1221 N. 21st Avenue, Phoenix, Arizona 85009-3740.

**1001-4              Contractor-Furnished Source:**

**1001-4.01          Approval Requirements:**

**(A)    General:**

The contractor shall promptly advise the Engineer as to the source that it proposes to use.

The contractor acknowledges that all the conditions set forth in this subsection must be met before the source may be used.

Other than sampling and testing, the requirements of this subsection shall be completed prior to initiation of any activities which disturb the existing conditions at the proposed source.

The contractor further acknowledges that no additional compensation will be made on account of any delays in preparing or modifying the environmental analysis, obtaining approval for the use of a contractor-furnished source, or the failure to obtain approval of a contractor-furnished source. An extension of contract time may be granted only in accordance with Subsections 104.12 or 1001-4.01(B)(4).

**(B) General Requirements For Approval:**

The use of a contractor-furnished source will require written approval by the Engineer. No approval will be given until the contractor has complied with the following conditions:

- (1) The contractor has submitted an Environmental Analysis of the source proposed for use and the Department has reviewed the analysis and satisfied itself that the use of such source will not have an adverse social, economic or environmental impact. The requirements of this condition shall be completed prior to initiation of any activities which substantially disturb the existing conditions at the proposed source.
- (2) Except for commercial operations, the contractor has furnished the Engineer with evidence that he has secured the rights to the source, including ingress and egress.
- (3) The Department has determined that the material from the proposed contractor-furnished source not only meets the requirements, but is also compatible with the established project design criteria developed by the ADOT Materials Group and based on the soil support value of the embankment; and, except for commercial operations, the sampling and testing herein specified has been satisfactorily completed.
- (4) For a contractor-furnished source which is not a commercial operation as defined in Subsection 1001-2.01, the contractor shall notify the Arizona Department of Agriculture, in accordance with the Arizona Native Plant Law, at least 30 days prior to any clearing operations of less than 40 acres on private land, 60 days prior to clearing operations of 40 or more acres on private land, and 60 days prior to any clearing of state land, regardless of size. If the Engineer is convinced that the contractor has made every effort to comply with the provisions of the Arizona Native Plant Law in contacting the Department of Agriculture, the Engineer will increase the number of contract days by the amount of time required for action by the Department of Agriculture. The increase will not exceed 20 contract days and will be concurrent with any increase allowed for the preparation of the Environmental Analysis.

### **(C) Historical and Cultural Resources:**

If the Department determines that the proposed use will have major adverse impact on cultural or historic resources, the Department will not allow the use of the source.

#### **1001-4.02 Testing Requirements:**

The contractor shall furnish equipment and personnel and shall obtain representative samples of the material under the supervision of the Engineer. At the option of the contractor, the material shall be tested by either the Department or by a testing laboratory approved by the Department.

If testing is performed by a testing laboratory, the contractor shall arrange for the samples to be delivered to the testing laboratory. Tests shall be performed using appropriate test procedures referred to in the sections of the specifications in which the specific material requirements are described.

The contractor shall make the arrangements necessary to see that the testing laboratory submits the results of the tests to ADOT Materials Group. The contractor shall submit to ADOT Materials Group sufficient material from the samples taken so that ADOT Materials Group may test the materials and verify the results.

The cost of all sampling and testing, including the cost of supervision by the Engineer, shall be borne by the contractor until the testing has been satisfactorily completed.

Exploratory sampling and testing activities conducted prior to the Department's approval shall be limited to the minimum amount of vegetation removal and surface disturbance required to obtain representative samples. The contractor shall not produce material, mobilize crushing equipment or clear a worksite prior to approval of the Environmental Analysis.

The use of material from commercial operations will require written approval by the Engineer. No approval shall be assumed, nor will it be made, until the Department has determined that the material not only meets the specified requirements, but is also compatible with the established project design criteria developed by ADOT Materials Group, and based on the soil support value of the embankment materials and the structural coefficients of the base and surfacing materials.

Every effort will be made by the Department to advise the contractor as quickly as possible that the source it proposes to use has been either approved or disapproved. The contract time will not be adjusted because of any time required by either the contractor or the Department to sample and test the material and to determine the quality of the material.

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## **1001-6 Special Access:**

If there is a Department-furnished source, the point(s) at which special access to a controlled access highway may be allowed will generally have been considered and, if appropriate, will be shown on the project plans. Such access shall be in accordance with the requirements specified in the Special Provisions and on the project plans.

The contractor may make a request to the Engineer to approve special access to a controlled access highway if:

- (1) Special access is not shown on the project plans,
- (2) The contractor elects not to furnish material from the Department-furnished source, or
- (3) There is no Department-furnished source.

The request by the contractor shall be accompanied by an Environmental Analysis and by documents which specify the point(s) of access, the acquisition of right-of-way, the manner in which access will be attained, the traffic control plan, and crossovers, along with all other appropriate data which will allow the Engineer to evaluate its request. If the request is approved, a supplemental agreement shall be entered into.

All costs associated with the special access requested by the contractor shall be borne by the contractor, including, but not limited to, cattle guards, fences, gates and restoration work.

When access is not being utilized, gates shall be closed and locked. Upon completion of all operations, the area within the right-of-way which has been disturbed shall be restored to the condition existing prior to the contractor's operations.

The decision by the Engineer to deny a request by the contractor will be considered to be final.

## **1001-7 Operations at Source:**

### **1001-7.01 General Requirements:**

The requirements of Subsection 1001-7 shall not apply to commercial operations.

In Department-furnished sources the contractor shall conduct its operations in such a manner as to preserve available materials in excess of project requirements.

The contractor shall notify the Engineer in advance of operations at the source. Notice shall be given before and after clearing and stripping and before and after cleaning up.



## **1001-7.02          Clearing and Stripping:**

Before beginning stripping, the contractor shall clear and grub the source as necessary to prevent the contamination of materials to be used in the work. Clearing and grubbing shall be in accordance with the requirements of Section 201, except that the resulting surface need not be leveled and vegetable matter need not be separated from any overburden which the Engineer determines to be unsuitable for any future use and which is to be wasted.

In the disposal of all tree trunks, stumps, brush, limbs, roots, vegetation and other debris removed, the contractor shall comply with the requirements of Title 36, Public Health and Safety, Chapter 6, Article 8, Air Pollution, of the Arizona Revised Statutes and with the Rules and Regulations for Air Pollution Control, Article 7, adopted by the Arizona Department of Environmental Quality pursuant to the authority granted by the Statutes.

Burning will be permitted only after the contractor has obtained a permit from the Arizona Department of Environmental Quality, and from any other Federal, State, County or City Agency that may be involved.

When stripping is required, overburden shall be removed to the extent necessary to remove all undesirable materials and shall, at all times, be kept stripped at least five feet beyond the working face of the area being excavated.

## **1001-7.03          Extraction of Materials:**

Materials shall be removed from the source in a workmanlike manner. In order to produce acceptable material in the amount and gradation required, it may be necessary for the contractor to do any or all of the following, along with any other similar operations usually associated with the extraction, processing and production of the particular material being produced:

- Move materials from one area to another.
- Perform additional screening.
- Remove, wash and waste material.
- Blend materials.
- Revise crushing methods.
- Remove deleterious materials such as clay balls, roots and sticks.

If the Engineer determines that the material in a source is stratified, all material except borrow shall be removed for the full depth in such a manner as to produce a uniform blend of the material. Placing the material from different areas and depths into a surge pile and removing material from the surge pile by cutting through the pile will be acceptable provided that a uniformly blended material is obtained.

Material sources located in drainage channels such as washes, river beds, etc., may experience seasonal variations in the depth of ground water. In order to produce the quantity of material estimated to be available in Department-furnished sources, the contractor may be required to work below the water table.

#### **1001-8                    Fences and Cattle Guards:**

Where the haul roads to material sources cross existing fence lines in areas where there is livestock of any kind, temporary cattle guards shall be installed by the contractor at each crossing.

The livestock operator or owner shall be contacted prior to the beginning of any operations and effective measures shall be taken and means provided by the contractor to prevent livestock from straying.

In operations where conditions will exist that are dangerous to livestock of any kind, temporary cattle guards and fence shall be installed around the pit area by the contractor to protect livestock.

Temporary cattle guards and fence installed by the contractor shall be removed and existing fence disturbed shall be replaced or reconstructed and all fence shall be left in as good condition as it was prior to the beginning of work.

#### **1001-9                    Cleaning Up:**

The requirements of this subsection shall apply to contractor-furnished sources to the extent that they are required by the Environmental Analysis and by the owner. The requirements of Subsection 1001-9 shall not apply to commercial operations.

All overburden and other undesirable materials removed and all piles of waste materials resulting from operations in Department-furnished sources shall be deposited within the excavated area of the source and the material shall be leveled as directed. In the event that the Department-furnished source contains material needed for future use, the placement of such materials within the excavated area shall be as directed. All debris shall be removed and disposed of and, if directed, all open test holes shall be filled. The sides of Department-furnished sources shall be sloped and smoothed so that livestock can enter and leave the excavated area safely. Unless otherwise specified, all haul roads constructed to Department-furnished sources shall be obliterated and, as far as practicable, the ground left in as good condition as it was prior to hauling.

#### **1001-10                    Method of Measurement and Basis of Payment:**

Except as may be otherwise specifically provided for in this section or elsewhere, no measurement or direct payment will be made for any costs involved in the procuring of materials. Such costs shall be considered as included in the cost of contract items.

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USE THIS SPECIFICATION FOR PROJECTS LOCATED  
WITHIN THE NAVAJO RESERVATION.

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**(1001MATL, 01/31/00)**

**SECTION 1001- MATERIAL SOURCES:**

**1001-4.01**      **Approval Requirements:** of the Standard Specifications is modified to add:

**(D) Permit from Navajo Nation:**

This project is located on the Navajo Reservation. The Navajo Nation has adopted a permitting system for any sources, regardless of whether on or off the Navajo reservation, which are to supply material for projects located within its boundaries. No contractor-furnished material source will be approved until the contractor submits a copy of the permit from the Navajo Nation allowing materials from the proposed source to be used on the project. For information concerning the permit, the contractor shall contact the Navajo Nation Historic Preservation Office.